UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,855	10/23/2003	Bryan T. Starbuck	13768.469	6729

47973 7590 03/14/2007		EXAMINER
WORKMAN NYDEGGER/MICROSOFT		SYED, FARHAN M
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60 EAST SOUTH TEMPLE	ART UNIT	PAPER NUMBER
SALT LAKE CITY, UT 84111	2165	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/691,855	STARBUCK ET AL.
	Examiner	Art Unit	
	Farhan M. Syed	2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 December 2006</u>.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213..

Disposition of Claims

4)☐ Claim(s) <u>1-13 and 25</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-13 and 25</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>23 October 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-13 and 25 are pending.

Response to Remarks

Drawing

2.   Applicant's arguments, see page 8, filed 21 December 2006, with respect to the drawings have been fully considered and are persuasive. The objection of a non-Final office action mailed 22 September 2006 has been withdrawn.

Response to Argument

3.   Applicant's arguments filed 21 December 2006 have been fully considered but they are not persuasive for the reasons set forth below.

Applicant argues:

"...the elements of claim 1 which are clearly never taught, explicitly or implicitly by Shuman."

The Examiner respectfully disagrees. Shuman teaches a computer system that is network connectable along with one or more other computer systems to a network (i.e. *"Furthermore, those skilled in the art will recognize that the present invention may be implemented in a stand-alone or in a distributed computing environment." "Examples of such distributed computing environments include local area networks, enterprise-wide computer networks, and the global Internet."*)(Column 4, lines 20-23, lines 27-30), a method for registering a message application to have primary control of a message folder space, the method comprising (i.e. *"Those*

skilled in the art will also appreciate that the controls displayed by a form also vary based on the context in which the message is being displayed, i.e., whether the message is being composed by a user, or has already been sent or received by a user. In the context of an e-mail message, a "compose" form will include controls that allow the user to send the message when composition is complete. Similarly, a "receive" form will include controls that allow a user to forward the message to others, or reply to the sender. A "sent" form may indicate to the sender when the message was sent, and allow the user to send it to others.")(Column 13, lines 41-52): an act of an operating system (i.e. *"The operating system 36, in conjunction with the BIOS 19 (FIG. 1) and associated device drivers, provides the basic interface between the computer's resources, the user, and the application program 37a. The operating system 36 interprets and carries out instructions issued by the user. For example, when the user wants to load an application program 37a, such as a program module embodying the present invention, the operating system 36 interprets the instruction (e.g., double clicking on the application program's icon) and causes the processing unit 14 to load the program code into RAM 17 from either the local hard disk drive 20, floppy disk 23, CD-ROM 26, or the remote memory storage device 33. Once the application program 37a is loaded into the RAM 17, it is executed by the processing unit 14."* The preceding text clearly indicates that an operating system is required to carry out requests made by the user. The instructions are requests made by the application that the user interacts with to perform such requests. Thus, the message application is an instance of such an application in which instructions or requests are made to the user. This concept is fundamental to the operating system. Furthermore, the Examiner refers to Figure 2 in the prior art that illustrates this concept.)(Column 7,lines 9-22; Figure 2) receiving a folder registration request from a message application (i.e. *"The operation of these MAPI components is illustrated by describing the flow of an electronic message through these components. The user of a client application 300 sends an electronic message to one or more recipients. A message store provider 330 initiates the sending process and formats the message with additional information needed for transmission. The MAPI spooler 310 receives the electronic message, performs any required preprocessing, and delivers it to the appropriate transport provider 340."* The folder registration request is

illustrated by the electronic messages, which are requests that are executed by the operating

system.)(Column 9, lines 44-49); an act of the operating system determining that a folder silo

has resources available to satisfy the folder registration request (i.e. *"Message store*

providers 330 handle the storage and retrieval of electronic messages and other information for the users

of a client application. As illustrated in FIG. 4, the message information is organized using a hierarchical

system known as a message store, which is implemented in multiple levels, with containers called folders

holding electronic messages of different types. There is no limit to the number of levels in a message

store, and folders can contain many sub-folders." The preceding text clearly indicates that a folder silo is

illustrated by the function of the message store providers that determine the resource availability to satisfy

a request.)(Column 9, lines 11-19); an act of the operating system allocating a folder space

within the folder silo to satisfy the folder registration request (i.e. *"Message store providers*

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application. As illustrated in FIG. 4, the message information is organized using a hierarchical system

known as a message store, which is implemented in multiple levels, with containers called folders holding

electronic messages of different types. There is no limit to the number of levels in a message store, and

folders can contain many sub-folders." The preceding text clearly indicates that the folder space within the

folder silo is exemplified by the message store that implements containers called folders holding

electronic messages of different types. An ordinary person skilled in the art understands that allocating

space is a required step in holding electronic messages of different types in folders.)(Column 9, lines 11-

19); and an act of the operating system maintaining an indication that the message

application has primary control of the allocated folder space such that other message

applications can be made aware that the message application has primary control of the

allocated folder space (i.e. *"Message store providers 330 handle the storage and retrieval of*

electronic messages and other information for the users of a client application. As illustrated in FIG. 4, the

message information is organized using a hierarchical system known as a message store, which is

implemented in multiple levels, with containers called folders holding electronic messages of different types. There is no limit to the number of levels in a message store, and folders can contain many sub-folders." "Transport providers 340 handle message transmission and reception. They control the interaction between the MAPI spooler 310 and the underlying messaging system 320. They also implement security if necessary and take care of any pre-processing and post-processing tasks that are required. Client applications 300 communicate with the transport providers 340 through a message store provider 330. When an incoming message is detected, the transport provider informs the MAPI spooler and the message is delivered to the appropriate message store. To handle outgoing messages, the message store moves the message to the outbound queue, informs the MAPI spooler, and the spooler transfers it to the appropriate transport providers." The preceding text clearly indicates that the transport providers make aware that the message application has primary control. This is illustrated in handlging in how a client application (i.e. message application) communications with the transport providers through a message store, where the message store determines the allocated folder space.)(Column 9, lines 11-19; lines 28-40).

Hence, the Applicant's arguments do not distinguish over the claimed invention over the prior art of record.

Any other arguments by the applicant are either more limiting than the claimed language or completely irrelevant.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-13 and 25 are rejected under 35 U.S.C. 102(b) as being anticipated by

Shuman (U.S. Patent 6,424,995).

     As per claims 1 and 25, Shuman teaches a computer system that is network

connectable along with one or more other computer systems to a network (i.e.

"Furthermore, those skilled in the art will recognize that the present invention may be implemented in a

stand-alone or in a distributed computing environment." "Examples of such distributed computing

environments include local area networks, enterprise-wide computer networks, and the global

Internet.")(Column 4, lines 20-23, lines 27-30), a method for registering a message application

to have primary control of a message folder space, the method comprising (i.e. *"Those*

skilled in the art will also appreciate that the controls displayed by a form also vary based on the context

in which the message is being displayed, i.e., whether the message is being composed by a user, or has

already been sent or received by a user. In the context of an e-mail message, a "compose" form will

include controls that allow the user to send the message when composition is complete. Similarly, a

"receive" form will include controls that allow a user to forward the message to others, or reply to the

sender. A "sent" form may indicate to the sender when the message was sent, and allow the user to send

it to others.")(Column 13, lines 41-52): an act of an operating system (i.e. *"The operating system*

36, in conjunction with the BIOS 19 (FIG. 1) and associated device drivers, provides the basic interface

between the computer's resources, the user, and the application program 37a. The operating system 36

interprets and carries out instructions issued by the user. For example, when the user wants to load an

application program 37a, such as a program module embodying the present invention, the operating

system 36 interprets the instruction (e.g., double clicking on the application program's icon) and causes

the processing unit 14 to load the program code into RAM 17 from either the local hard disk drive 20,

floppy disk 23, CD-ROM 26, or the remote memory storage device 33. Once the application program 37a

is loaded into the RAM 17, it is executed by the processing unit 14." The preceding text clearly indicates

that an operating system is required to carry out requests made by the user. The instructions are requests

made by the application that the user interacts with to perform such requests. Thus, the message

application is an instance of such an application in which instructions or requests are made to the user.

This concept is fundamental to the operating system. Furthermore, the Examiner refers to Figure 2 in the

prior art that illustrates this concept.)(Column 7,lines 9-22; Figure 2) receiving a folder registration

request from a message application (i.e. *"The operation of these MAPI components is illustrated*

by describing the flow of an electronic message through these components. The user of a client

application 300 sends an electronic message to one or more recipients. A message store provider 330

initiates the sending process and formats the message with additional information needed for

transmission. The MAPI spooler 310 receives the electronic message, performs any required

preprocessing, and delivers it to the appropriate transport provider 340." The folder registration request is

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of a client application. As illustrated in FIG. 4, the message information is organized using a hierarchical

system known as a message store, which is implemented in multiple levels, with containers called folders

holding electronic messages of different types. There is no limit to the number of levels in a message

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message information is organized using a hierarchical system known as a message store, which is

implemented in multiple levels, with containers called folders holding electronic messages of different

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interaction between the MAPI spooler 310 and the underlying messaging system 320. They also

implement security if necessary and take care of any pre-processing and post-processing tasks that are

required. Client applications 300 communicate with the transport providers 340 through a message store

provider 330. When an incoming message is detected, the transport provider informs the MAPI spooler

and the message is delivered to the appropriate message store. To handle outgoing messages, the

message store moves the message to the outbound queue, informs the MAPI spooler, and the spooler

transfers it to the appropriate transport providers." The preceding text clearly indicates that the transport

providers make aware that the message application has primary control. This is illustrated in handlging in

how a client application (i.e. message application) communications with the transport providers through a message store, where the message store determines the allocated folder space.)(Column 9, lines 11-19; lines 28-40).

As per claim 2, Shuman teaches a method, wherein the act of an operating system receiving a folder registration request from a message application comprises an act of receiving a folder request from an electronic mail application (i.e. *"FIG. 3 illustrates the modular architecture defined by MAPI. The client applications 300 are application programs that take advantage of the MAPI subsystem 305."*)(Column 8, lines 7-9; Figure 3).

As per claim 3, Shuman teaches a method, wherein the act of an operating system receiving a folder registration request from a message application comprises an act of receiving a folder request for a folder space that is to store electronic messages having fields defined in accordance with a message application extension schema (i.e. *"In FIG. 4, the first folder 400 contains note messages and uses the MAPI standard note form. The second folder 405 contains inventory request messages and uses a custom inventory form. The information on both forms represents the properties, or attributes, of the message. Messages are the units of data transferred from one user to another. Every message contains some text, which is formatted simply or more intricately depending on the form that is used, and envelope information that is used for transmission."*)(Column 9, lines 64-67; Figure 4).

As per claim 4, Shuman teaches a method, wherein the act of an operating system receiving a folder registration request from a message application comprises an act of receiving a folder request for a folder space that is to store electronic messages

having specified primary type (i.e. *"In FIG. 4, the first folder 400 contains note messages and uses the MAPI standard note form. The second folder 405 contains inventory request messages and uses a custom inventory form. The information on both forms represents the properties, or attributes, of the message. Messages are the units of data transferred from one user to another. Every message contains some text, which is formatted simply or more intricately depending on the form that is used, and envelope information that is used for transmission."*)(Column 9, lines 64-67; Figure 4).

As per claim 5, Shuman teaches a method, wherein the act of the operating system determining that a folder silo has resources available to satisfy the folder registration request comprises an act of determining that a requested folder space is not currently allocated (Figures 3, 4, 5).

As per claim 6, Shuman teaches a method, wherein the operating system allocating a folder space within the folder silo comprises an act creating the folder space (Figure 2, 3).

As per claim 7, Shuman teaches a method, wherein the operating system allocating a folder space comprises an act of allocating a folder space that is to store electronic mail messages (Figure 3).

As per claim 8, Shuman teaches a method, wherein the operating system allocating a folder space comprises an act of allocating a folder space that is to store

electronic messages having fields defined in accordance with a message application

extension schema (Figure 3, 4).

As per claim 9, Shuman teaches a method, wherein the operating system

allocating a folder space comprises an act of allocating a folder space that is to store

electronic messages of a specified primary type (Figure 3, 4).

As per claim 10, Shuman teaches a method, wherein an act of the operating

system maintaining an indication that the message application has primary control of

the allocated folder space comprises an act of updating an external list that tracks which

message folders are allocated to which message applications (Figure 3, 4).

As per claim 11, Shuman teaches a method, wherein the operating system

maintaining an indication that the message application has primary control of the

allocated folder space comprises an act of altering the arrangement of the folder silo

such that subsequent analysis of the folder silo indicates that the folder space is

allocated to the message application (Figure 3).

As per claim 12, Shuman teaches a method, further comprising: an act of the

operating system preventing another message application from accessing the allocated

folder space subsequent to the folder space being allocated (Figure 3).

As per claim 13, Shuman teaches a method, further comprising: an act of the operating system sending a signal to the message application, the signal indicating the folder registration request was satisfied (i.e. *"Message store providers 330 handle the storage and retrieval of electronic messages and other information for the users of a client application. As illustrated in FIG. 4, the message information is organized using a hierarchical system known as a message store, which is implemented in multiple levels, with containers called folders holding electronic messages of different types. There is no limit to the number of levels in a message store, and folders can contain many sub-folders."*)(Figure 3, 4, 5).

Conclusion

4.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FMS

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